

Red Tape Review Rule Report (Due: September 1, 2024)

Department Name:	Department of Transportation	Date:	7-11-24	Total Rule Count:	7
IAC #:	761	Chapter/ SubChapter/ Rule(s):	720	Iowa Code Section Authorizing Rule:	328.12 328.19 2016 Iowa Acts, chapter 1131, section 3
Contact Name:	Tim McClung	Email:	tim.mcclung@iowadot.us	Phone:	515-239- 1689

What is the intended benefit of the rule?

Iowa Code 328.19 requires airports open for use by the public to register and meet minimum safety standards promulgated by the Department. This chapter promulgates airport registration rules and minimum safety standards. It also identifies airport closing requirements to ensure public safety and addresses repayment of financial assistance as required by previous legislation.

Is the benefit being achieved? Please provide evidence.

Yes. The rules require public-use airports to maintain clear approach zones, obstacle-free areas, runways and other airport facilities. Corrective action is frequently required when safety discrepancies are identified during airport inspections.

What are the costs incurred by the public to comply with the rule?

Costs associated with corrective action vary widely, depending on the frequency and scale of safety discrepancies identified. Most public-use airports are public-owned and eligible for aviation funding programs through the federal or state aviation funding programs. Private-owned airports must bear the cost if they want to retain public-use status. Otherwise, they may remain open, but only as private-use airports where users with permission bear any risks.

What are the costs to the agency or any other agency to implement/enforce the rule?

The Department has a dedicated airport inspector whose primary duty is to inspect public-use airports throughout Iowa for safety deficiencies. Sometimes, costs of mitigating developing safety issues is funded through grants from the Department's State Aviation Program that are usually paid from the State Aviation Fund with user-generated revenues from aircraft registration fees and aviation fuel taxes.

Do the costs justify the benefits achieved? Please explain.

Yes. Iowa has 3,000 registered aircraft, 5,700 pilots and large numbers of visiting aircraft to the state. One million passengers visit Iowa's commercial airports each year by air. There are 62 businesses providing aviation services, 16 helicopter air ambulance bases, six military aviation units, and 400+ aerial applicators that all rely on safe and well-maintained public-use airport facilities. Aviation supports \$6.4 billion in annual economic activity in Iowa.

Are there less restrictive alternatives to accomplish the benefit? YES NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

The Department determined that this chapter is necessary and is required by statute. Less restrictive standards would diminish the safety and accessibility of public-use airports in Iowa.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

Obsolete language was found in 720.6 concerning revocation or denial of certificate of site approval. Unnecessary language concerning telephone availability was found in 720.10(4)"c."

RULES PROPOSED FOR REPEAL (list rule number[s]):

None

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

720.1 Scope and contact information.
720.2 Definitions.
720.3 Public-use airport.
720.4 Revocation or denial.

720.5 Corrective action plan.
720.6 Minimum safety standards.
720.7 Airport closing.
720.8 Hearing and appeal process.

****For rules being re-promulgated with changes, you may attach a document with suggested changes.***

METRICS

Total number of rules repealed:	1 added
Proposed word count reduction after repeal and/or re-promulgation	339 additional words
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	36

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

No